

Notice of Allowability

Application No.

10/690,265

Examiner

Kiet Doan

Applicant(s)

SCHMIDT, DOMINIK J.

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/06/2007.
2. ☒ The allowed claim(s) is/are 1-4 and 18-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This office action is response to Pre-Brief request on 08/06/2007.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Noel Kivlin at (512) 853-8840 on 11/26/2007 and 12/04/2007.

The examiner amendment as follow:

Claims 5-17 are cancelled.

Claim 1. A method for securing a wireless communication medium using a Subscriber Identity Module (SIM) card, comprising:

determining a SIM card insertion and if so accessing SIM data and transmitting the SIM data to a base station for comparison with a local copy of an authorized user data file;

granting mobile unit access to the base station If the comparison is indicative of a match and otherwise indicating an access failure; and

If the mobile unit access is grant, determining a desired level of service; and dynamically adjusting a number of time slots assigned to the wireless communication medium during data transmission to remain within limits of said desired level of service

via the dynamically adjust number of time slots and at least one short-range wireless medium;

wherein the dynamic adjusting comprises:

determining available time-slot resources;

detecting the wireless communication medium that fails to meet said desired level of service;

allocating the wireless communication medium to a configuration having additional time slots; and

transmitting a channel assignment message including information on the allocated configuration with the additional time slots.

Claim 18. A system for securing a wireless communication medium using a Subscriber Identity Module (SIM) card, comprising:

means for determining a SIM card insertion and if so accessing SIM data and transmitting the SIM data to a base station for comparison with a local copy of an authorized user data file;

means for granting mobile unit access to the base station if the comparison is indicative of a match and otherwise indicating an access failure; and

means for determining a desired level of service and dynamically adjusting a number of time slots assigned to the wireless communication medium during data

transmission to remain within limits of said desired level of service via the dynamically adjust number of time slots and at least one short-range wireless medium If the mobile unit access is grant;

wherein the means for determining a desired level of service and dynamically adjusting comprises:

means for determining available time-slot resources;

means for detecting the wireless communication medium that fails to meet said desired level of service;

means for allocating the wireless communication medium to a configuration having additional time slots; and

means for transmitting a channel assignment message including information on the allocated configuration with the additional time slots.

Claim 19. The system of claim 18, wherein at least one short-range wireless medium to an 802.11 specification.

Claim 20. The system of claim 18, wherein at least one short-range wireless medium to an bluetooth specification.

Claim 21. The system of claim 18, wherein at least one short-range wireless medium operates 2.4 gigahertz.

Allowable Subject Matter

3. The following is an examiner's statement of reasons for allowance:

Accordingly to the prior art record, **Russo teaches** a method for securing a wireless communication medium using a Subscriber Identity Module (SIM) card, comprising:

determining a SIM card insertion and if so accessing SIM data and transmitting the SIM data to a base station for comparison with a local copy of an authorized user data file (Abstract, Paragraph [0012], [0040]);

granting mobile unit access to the base station If the comparison is indicative of a match and otherwise indicating an access failure (Paragraph [0015], [0022-0023]).

Hamalainen teaches If the mobile unit access is grant, determining a desired level of service; and dynamically adjusting a number of time slots assigned to the wireless communication (Abstract, C2, L25-50).

However, either in Russo reference or in combination with Hamalainen are **fail to teach or fairly suggest** during data transmission to remain within limits of said desired level of service via the dynamically adjust number of time slots and at least one short-range wireless medium;

wherein the dynamic adjusting comprises:

determining available time-slot resources;

detecting the wireless communication medium that fails to meet said desired level of service;

allocating the wireless communication medium to a configuration having additional time slots; and

transmitting a channel assignment message including as specific details, combination and including all limitations particular recited in claim 18 and accordingly to the remarks file on 06/26/07 and Pre-Brief request on 08/06/2007.

Claims 2-4, 19-21 are allowed as being dependent on the independent claims 1 and 18.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

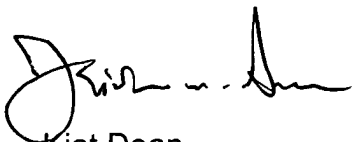
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet Doan whose telephone number is 571-272-7863. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Kiet Doan
Patent Examiner



JOSEPH FEILD
SUPERVISORY PATENT EXAMINER